

THE BASIL LAW GROUP

A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

1270 BROADWAY, SUITE 305

NEW YORK, NY 10001-3215

TELEPHONE: 917-512-3066

E-FAX: 831-536-1075

ROBERTJBASIL@RJBASIL.COM

DECEMBER 19, 2018

Hon. Steven M. Gold

Re: Edward Shin v YS2 Enterprises, Inc.
Case No. 1:17-cv-05183(ILG)(SMG)

Dear Judge Gold:

As the Court is aware, this firm represents Plaintiff, Edward Shin, and we write in lieu of filing a motion to amend this Court's November 16, 2018 scheduling order. We have been attempting to schedule depositions in time to produce expert reports by February 1, 2019, as provided in this Court's November 16, 2018 order. This has proven to be impossible from our perspective.

To my knowledge, Plaintiff is not in default of any discovery obligation. However, Defendant, YS2 Enterprises, did not produce answers to our written discovery until the afternoon of December 17, 2018. Accordingly, we could not determine who should be deposed until we had an opportunity to review those responses. In addition, we have not yet received even Rule 26 disclosures from newly served defendant Lee. Accordingly, we could not determine who should be deposed until we had an opportunity to review those disclosures. No parties have propounded discovery upon Mr. Lee, and Mr. Lee only recently filed an answer to the correct amended complaint.

Nonetheless, we issued the attached notices of deposition on December 18, 2018. In response, counsel for Mr. Wang, the building owner, took the position that she would not produce any witnesses until Mr. Shin was deposed.

Counsel for Mr. Lee took the position that he was newly entered into the case, that Mr. Shin had not responded to his discovery, and that he was not prepared to proceed with deposition on this shortened schedule. Counsel for YS2 has not yet weighed in, but neither has she indicated she is ready to comply with the notices.

As a result of these incidents, we cannot gather sufficient information to produce our expert reports on February 1, 2019, as required by this Court's November 16, 2018 order, and therefore seek appropriate relief. Such relief should include a new order establishing the

THE BASIL LAW GROUP, P.C.

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timing of depositions and an extension of the time for Mr. Shin to serve his expert report within 30 days after all fact witness depositions are completed.

Respectfully submitted,

/s Robert J. Basil

Robert J. Basil

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	:	
EDWARD SHIN,	:	Civil Action No.:
	:	1:17-cv-05183 (ILG) (SMG)
Plaintiff,	:	
	:	
v.	:	
	:	
YS2 ENTERPRISES INC., MICHAEL	:	
S. WANG, VICTORIA WANG, as	:	
TRUSTEE OF THE RICHARDSON	:	
IRREVOCABLE TRUST, TERRENCE	:	
WU, DEH-JUNG DEBORAH WANG,	:	
And YOUNG K. LEE	:	
	:	
Defendants.	:	
	:	
-----X	:	

NOTICE TO TAKE DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the testimony, upon oral examination of JOHN LEE, an employee of Defendant YS2 Enterprises Inc., will be taken before a notary public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest of because of consanguinity or affinity to any party herein.

The examination will be taken at the offices of The Basil Law Group, P.C., 1270 Broadway, Suite 305, New York, NY 10001, on the 10th day of January, 2019 at 1:00 p.m. with respect to evidence and material necessary in the prosecution/defense of this action.

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
robertjbasil@rjbasil.com

CERTIFICATE OF SERVICE

I, Robert J. Basil, hereby certify that on December 18, 2018, the foregoing Notice to Take Deposition was served by depositing a copy of the aforesaid document in a prepaid First Class, properly addressed envelope in a post office box or official depository under the exclusive control of the United States Postal Service, upon the following:

Frank Cecere, Esq.
AHMUTY, DEMERS & McMANUS
200 I.U Willets Road
Albertson, New York 11507

Carmen Nicolau, Esq.
THE CHARTWELL LAW OFFICES, LLP
81 Main Street, Suite 100
White Plains, NY 10601

Mark A. Longo, Esq.
LONGO & D'APICE, ESQS.
26 Court Street, Suite 1700
Brooklyn, NY 11242

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
robertjbasil@rjbasil.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
EDWARD SHIN,

Plaintiff,

v.

YS2 ENTERPRISES INC., MICHAEL
S. WANG, VICTORIA WANG, as
TRUSTEE OF THE RICHARDSON
IRREVOCABLE TRUST, TERRENCE
WU, DEH-JUNG DEBORAH WANG,
And YOUNG K. LEE

Defendants.
-----X

: Civil Action No.:
: 1:17-cv-05183 (ILG) (SMG)

NOTICE TO TAKE DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the testimony, upon oral examination of JOSHUA SO, an employee of Defendant YS2 Enterprises Inc., will be taken before a notary public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest or because of consanguinity or affinity to any party herein.

The examination will be taken at the offices of The Basil Law Group, P.C., 1270 Broadway, Suite 305, New York, NY 10001, on the 10th day of January, 2019 at 10:00 a.m. with respect to evidence and material necessary in the prosecution/defense of this action.

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
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Brooklyn, NY 11242

Dated: New York, New York
December 18, 2018

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	:	
EDWARD SHIN,	:	Civil Action No.:
	:	1:17-cv-05183 (ILG) (SMG)
Plaintiff,	:	
v.	:	
YS2 ENTERPRISES INC., MICHAEL	:	
S. WANG, VICTORIA WANG, as	:	
TRUSTEE OF THE RICHARDSON	:	
IRREVOCABLE TRUST, TERRENCE	:	
WU, DEH-JUNG DEBORAH WANG,	:	
And YOUNG K. LEE	:	
	:	
Defendants.	:	
	:	
-----X	:	

NOTICE TO TAKE DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the testimony, upon oral examination of Defendant, YOUNG K. LEE, as a party witness, will be taken before a notary public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest of because of consanguinity or affinity to any party herein.

The examination will be taken at the offices of The Basil Law Group, P.C., 1270 Broadway, Suite 305, New York, NY 10001 on the 3rd day of January, 2019 at 10:00 a.m. with respect to evidence and material necessary in the prosecution/defense of this action.

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
robertjbasil@rjbasil.com

CERTIFICATE OF SERVICE

I, Robert J. Basil, hereby certify that on December 18, 2018, the foregoing Notice to Take Deposition was served by depositing a copy of the aforesaid document in a prepaid First Class, properly addressed envelope in a post office box or official depository under the exclusive control of the United States Postal Service, upon the following:

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White Plains, NY 10601

Mark A. Longo, Esq.
LONGO & D'APICE, ESQS.
26 Court Street, Suite 1700
Brooklyn, NY 11242

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
robertjbasil@rjbasil.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	:	
EDWARD SHIN,	:	Civil Action No.:
	:	1:17-cv-05183 (ILG) (SMG)
Plaintiff,	:	
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v.	:	
	:	
YS2 ENTERPRISES INC., MICHAEL	:	
S. WANG, VICTORIA WANG, as	:	
TRUSTEE OF THE RICHARDSON	:	
IRREVOCABLE TRUST, TERRENCE	:	
WU, DEH-JUNG DEBORAH WANG,	:	
And YOUNG K. LEE	:	
	:	
Defendants.	:	
-----X	:	

NOTICE TO TAKE DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rule 30 of the Federal Rules of Civil Procedure, the testimony, upon oral examination of Defendant MICHAEL S. WANG, as a party witness, will be taken before a notary public who is not an attorney, or employee of an attorney, for any party or prospective party herein and is not a person who would be disqualified to act as a juror because of interest of because of consanguinity or affinity to any party herein.

The examination will be taken at the offices of The Basil Law Group, P.C., 1270 Broadway, Suite 305, New York, NY 10001, on the 8th day of January, 2019 at 1:30 p.m. with respect to evidence and material necessary in the prosecution/defense of this action.

Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
Robert J. Basil
The Basil Law Group, P.C.
1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
robertjbasil@rjbasil.com

CERTIFICATE OF SERVICE

I, Robert J. Basil, hereby certify that on December 18, 2018, the foregoing Notice to Take Deposition was served by depositing a copy of the aforesaid document in a prepaid First Class, properly addressed envelope in a post office box or official depository under the exclusive control of the United States Postal Service, upon the following:

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LONGO & D'APICE, ESQS.
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Dated: New York, New York
December 18, 2018

/s/ Robert J. Basil
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1270 Broadway, Suite 305
New York, NY 10001
(917) 512-3066
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